

REMARKS

Claims 1-36 are pending in this application with claims 2-6, 15, 19-23 and 32 being withdrawn from consideration. Claims 1, 7, 9, 11, 18, 24, 26 and 28 have been amended. Support for the amendment to claims 1 and 18 can be found at, for example, page 36, line 28 to page 38, line 11. Claims 7, 9, 11, 24, 26 and 28 have been amended for clarity. No new matter is added. Reconsideration and prompt allowance of the application based on the above amendments and following remarks is respectfully requested.

I. Personal Interview

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Dager in the May 13, 2010, personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

II. Rejection Under §102(b)

The Office Action rejects claims 1, 7-9, 13, 16, 18, 24-26, 30 and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0016659 to Tashiro et al. (hereinafter "Tashiro"). The rejection is respectfully traversed.

As agreed in the May 13 personal interview, Tashiro fails to disclose "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle." Specifically, the Office Action asserts that Tashiro discloses a manager (10) which issues operation guide

commands to the engine ECU (6), ATECU (7) and brake ECU (8) for operation of the engine (2), AT (4) and brakes (5) (paragraph [0088]). Additionally, the Office Action asserts that Tashiro discloses a requested front-back acceleration is set according to an ON/OFF of an ACC switch that selects execution or non-execution of ACC (paragraph [0102]).

However, the manager unit (10) of Tashiro is not equivalent to the recited processing unit because the manager unit (10) has a hierarchical relationship to the engine ECU (6), ATECU (7) and brake ECU (8). The manager of Tashiro does not operate parallel to each control unit (i.e., the engine ECU (6), ATECU (7) and brake ECU (8)).

Additionally, the manager (10) of Tashiro is merely a single manager unit outputs signal commands to the engine ECU (6), ATECU (7) and brake ECU (8) via a communication line (L1). As agreed during the personal interview, Tashiro does not disclose a plurality of managers. Neither does Tashiro disclose a plurality of managers operating autonomously from each other. Thus, Tashiro also fails to disclose that at least one of the plurality of managers comprises an automatic cruising sub-unit. Instead, the manager (10) individually outputs all commands to engine ECU (6), ATECU (7) and brake ECU (8) and further includes ACC. Thus, Tashiro fails to disclose "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle."

Applicants do not concede that Tashiro discloses the features of dependent claims 7-9, 13, 16, 24-26, 30 and 33. However, it is unnecessary to separately discuss the features recited

in the dependent claims given the existence of clear and distinguishing features in independent claims 1 and 18.

Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Rejection Under §103(a)

A. Rejection Over Tashiro And Dominke

The Office Action rejects claims 10, 12, 14, 17, 27, 29, 31 and 34 under 35 U.S.C. §103(a) as being obvious over Tashiro, as applied to claims 1, 9, 11, 18, 26 and 28, and further in view of U.S. Patent No. 6,154,688 to Dominke et al. (hereinafter "Dominke"). The rejection is respectfully traversed.

This rejection is based on the assertion that Tashiro discloses all the features recited in claims 1 and 18, from which claims 10, 12, 14, 17, 27, 29, 31 and 34 depend. As discussed above, Tashiro fails to disclose all the features of claims 1 and 18.

As agreed in the May 13 personal interview, Dominke fails to make up for the deficiencies of Tashiro. Specifically, Dominke fails to teach or render obvious "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle," as recited in claim 1 and similarly recited in claim 18. Like Tashiro as discussed above, Dominke discloses a hierarchical structure wherein the master controller (100) sends data to the control apparatus for engine control (106) and the control apparatus for transmission control (108) (Fig. 7). Dominke only teaches the one master controller (100) and fails to teach a plurality

of master controllers operating autonomously from each other. Additionally, Dominke fails to teach the master controller (106) operating parallel to each control unit (control apparatus for engine control (106) and the control apparatus for transmission control (108)) but instead operates in a hierarchical relationship with the control units. Additionally, Dominke fails to disclose a automatic cruising sub-unit. Thus, Dominke fails to make up for the deficiencies of Tashiro. Specifically, Dominke fails to teach or render obvious "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle," as recited in claim 1 and similarly recited in claim 18.

Thus, the deficiencies of Tashiro are not cured by the addition of Dominke, and the rejection of independent claims 1 and 18 should be withdrawn. Claims 10, 12, 14, 17, 27, 29, 31 and 34 are patentable at least in view of the patentability of claims 1 and 18, as well as for the additional features recited therein.

Accordingly, Applicants respectfully request withdrawal of the rejection.

B. Rejection Over Tashiro And Shimizu

The Office Action rejects claims 35 and 36 under 35 U.S.C. §103(a) as being obvious over Tashiro, as applied to claims 1 and 18, and further in view of U.S. Patent No. 5,925,082 to Shimizu et al. (hereinafter "Shimizu"). The rejection is respectfully traversed.

This rejection is based on the assertion that Tashiro discloses all the features recited in claims 1 and 18, from which claims 35 and 36 depend. As discussed above, Tashiro fails to disclose all the features of claims 1 and 18.

As agreed in the May 13 personal interview, Shimizu fails to make up for the deficiencies of Tashiro. Specifically, Shimizu fails to teach or render obvious "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle," as recited in claim 1 and similarly recited in claim 18. Shimizu merely teaches a vehicle steering system that assists a driver to flow the driving lane or shape of the road. Shimizu fails to disclose a plurality of processing units or an automatic cruising sub-unit, as recited in claims 1 and 18. Thus, Shimizu fails to teach or render obvious "a plurality of processing units operating autonomously from each other and each processing unit operating parallel to each said control unit for generating and providing to each said control unit information to be used to modify said operation request or said control target, as necessary, at each said control unit...at least one of said plurality of processing units comprise an automatic cruising sub-unit generating the information processed so as to be shared among said driving system control unit and said brake system control unit based on the information for implementation of automatic cruising or pseudo-cruising of said vehicle," as recited in claim 1 and similarly recited in claim 18.

Thus, the deficiencies of Tashiro are not cured by the addition of Shimizu, and the rejection of independent claims 1 and 18 should be withdrawn. Claims 35 and 36 are

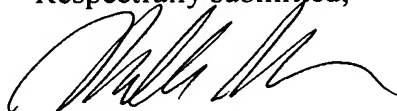
patentable at least in view of the patentability of claims 1 and 18, as well as for the additional features recited therein.

Accordingly, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Michelle K. Windom
Registration No. 65,466

JAO:MQW/tbm

Attachments:

Petition for Extension of Time
Request for Continued Examination

Date: May 26, 2010

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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